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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of the Application of:

SOUTHWEST EDUCATIONAL MEDIA)
FOUNDATION, INC. -)
Dallas, Texas)

MAIL BRANCH

File No. BPED-831216BU

For a Permit to Construct a New)
Non-Commercial Educational FM)
Station to Serve)
Lake Charles, Louisiana -)
on Channel 219)

DUPLICATE

REC'D MASS MED BUR

SEP 30 1986

To: The Chief, Mass Media Bureau

PUBLIC REF. ROOM

RESPONSE TO OBJECTION OF FREEDOM TV SUB, INC.

On August 18, 1986, Freedom TV Sub, Inc., ("Freedom") filed an objection to the above referenced application of Southwest Educational Media Foundation, Inc., ("SWEM"), for a new non-commercial educational FM ("NCE-FM") station to serve Lake Charles, Louisiana, on Channel 219.

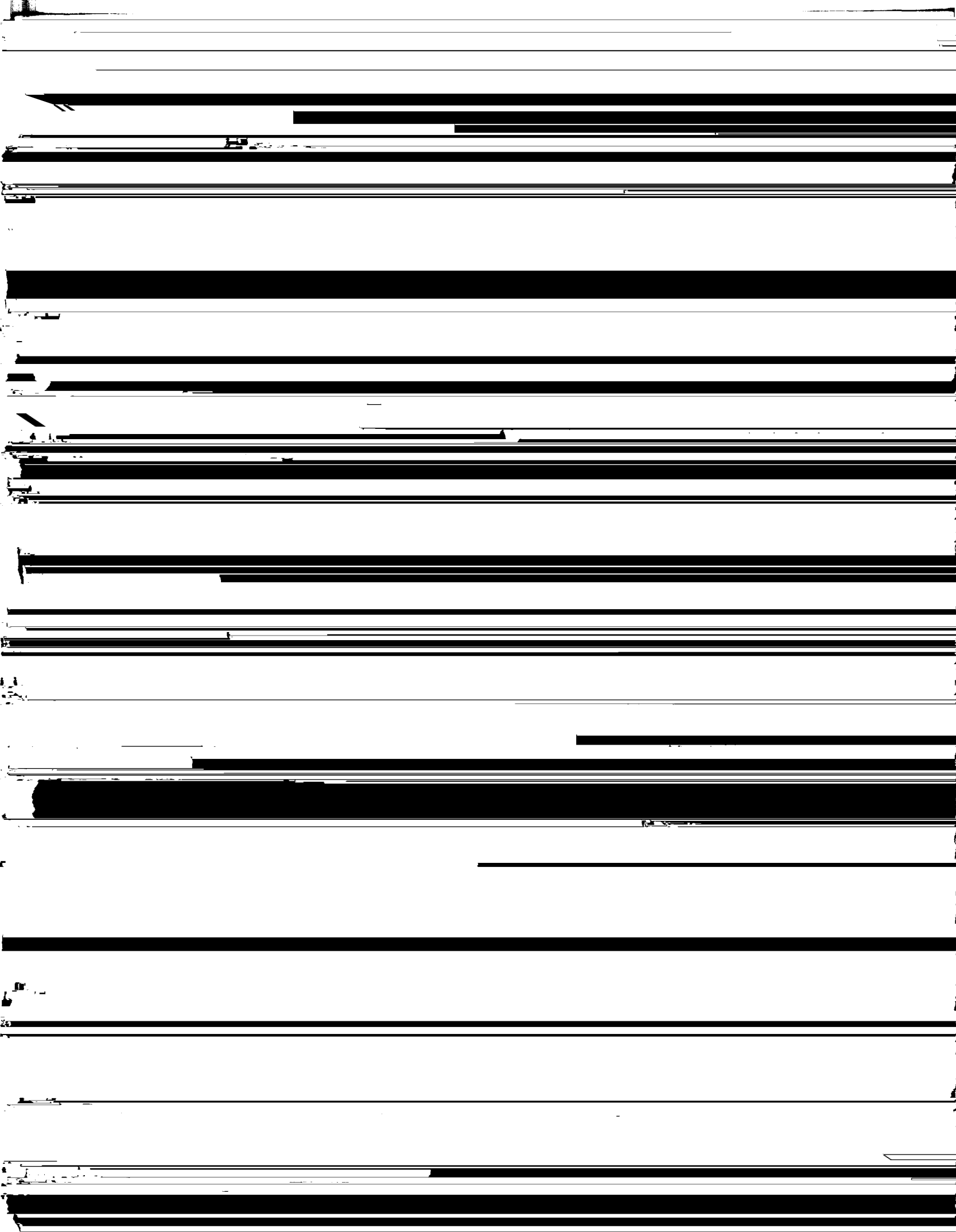
SWEM's original application was first filed on December 16, 1983, and was amended on June 25, 1984 and October 2, 1985 (the "October Amendment"). This October Amendment was to bring the much delayed application into conformity with the Commission's Docket No. 20735, which establishes standards for NCE-FM interference with VHF television stations operating on Channel 6.

It is the Applicants contention that Freedom's assertion

forestall any new NCE-FM service to Lake Charles, Louisiana, at worst.

Before the Commission considers the merit of Freedom's objection, the SWEM believes the following points should be made:

1. The Applicant's president, T. Kent Atkins, made personal visits to KDFM's chief engineer in Beaumont, Texas, and numerous phone calls to both KDFM-TV's chief engineer, and their consulting engineer in Springfield, Virginia, advising them of our proposal and October Amendment. (See exhibit 1). While no written agreement was ever obtained from KDFM-TV, (it's still "in the mail"), the Applicant was assured that there would be no objection to the proposed application if SWEM moved their proposed site some 10 miles to the north east (away from KDFM-



to install a number of filters equal to the the number of persons above 3,000 as determined by the Commission, and as detailed in Section 73.525(c)(2), thereby bringing SWEM's proposed service into conformity if it is not at this time.

Respectfully submitted,

SOUTHWEST EDUCATIONAL
MEDIA FOUNDATION, INC

By: 

President

2100 Hwy 360, Suite 1204
Grand Prairie, Texas 75050

Dated September 16, 1986

DECLARATION

I, T. Kent Atkins, president of Southwest Educational Media Foundation, Inc., do hereby certify that in the month September, 1985, I made six long distance phone calls to the chief engineer at KFDM-TV, in regards to any potential interference that may result from the proposed SWEM's NCE-FM at Lake Charles, Louisiana. At the time our proposed site was within the city limits of Lake Charles, and our proposed power was 40 KW at 377 ft. above average terrain.

After having made an appointment with the chief engineer of KFDM, and having traveled some 300 plus miles to visit with him and get a letter of agreement about our proposed NCE-FM, I was told that there shouldn't be any problem, but Mr. Herman Hurst, of Carl T. Jones, Corp., would make the final decision. I then had a long distance conversation Mr. Hurst. After he made some preliminary calculations he called back and and stated, "I personally don't think we will have any problems since you are at Channel 219, however your tower height and power might not be in perfect harmony with the Commissions new rules.

I asked what we might do to get an agreement with KFDM-TV and fall within the Commission's guidelines. He suggested we reduce our power and move our tower site away from KFDM-TV. The next day I called Mr. Hurst back and suggested a power reduction to 3 KW, and moving the site ten miles further away from KDFM-TV as proposed in the October Amendment. I gave him the coordinates

and called him back the next day. He said everything looked fine to him. I asked if I might draft a letter of agreement with KFDM-TV. He said that he would do that and get me a copy in the mail by the "deadline" for filing amendments on October 10, 1986. I filed the October amendment believing to be both within the guidelines specified in Section 73.525, and the agreement with KFDM-TV's engineers. To date I have never received any further correspondence from Mr. Hurst or KFDM-TV.

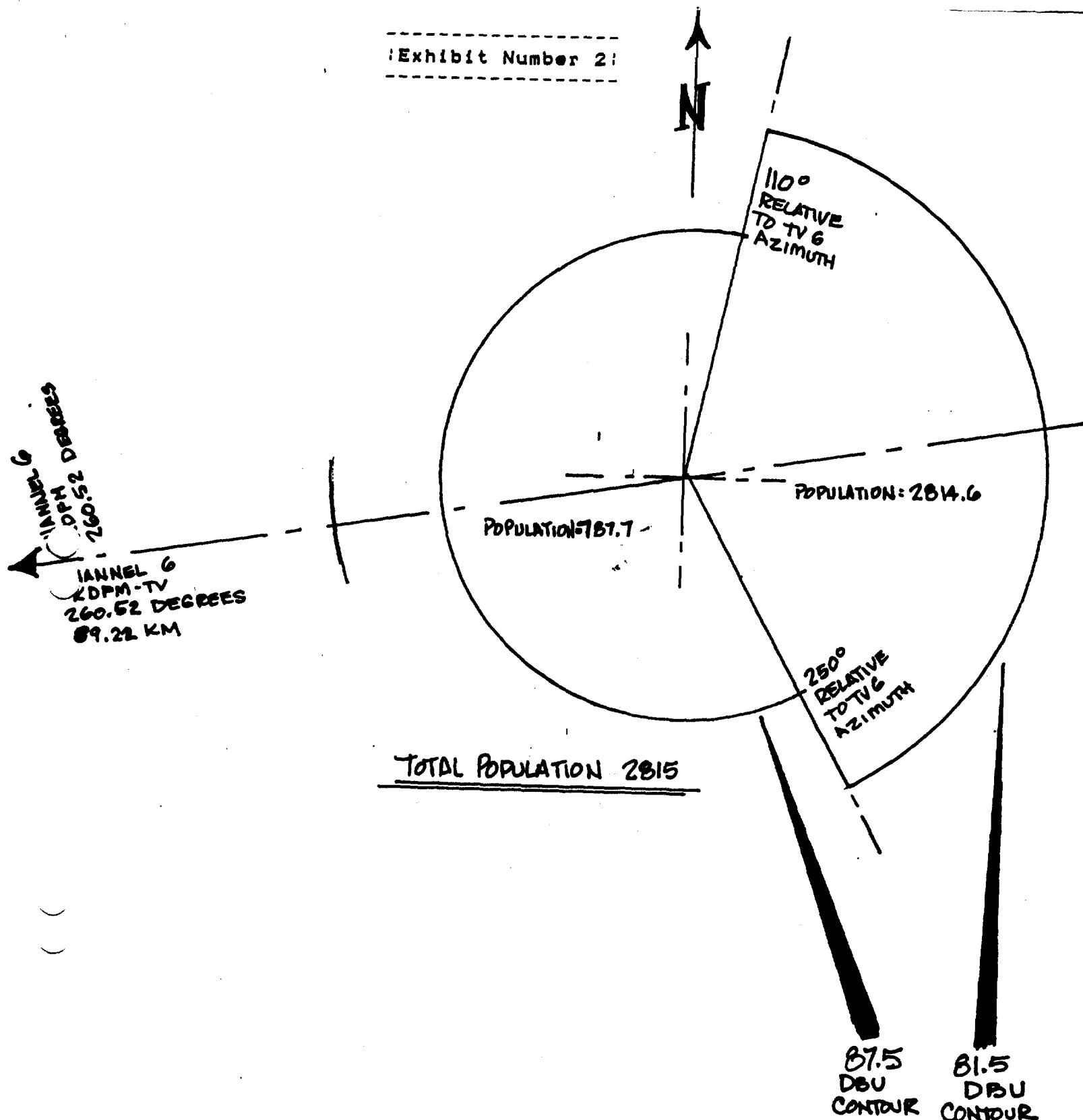
The above statements are true and correct to the best of my knowledge.



T. Kent Atkins

Dated: September 16, 1986

Exhibit Number 2



(iii) An adjustment of 6 dB for television receiving antenna directivity will be added to each NCE-FM interference contour at all points outside the Grade A field strength contour (873.683) of the TV Channel 6 station and within an arc defined by the range of angles, of which the FM transmitter site is the vertex, from 110° relative to the azimuth from the FM transmitter site to the TV Channel 6 transmitter site, counterclockwise to 250° relative to that azimuth. At all points at and within the Grade A field strength contour of the TV Channel 6 station, the 6 dB adjustment is applicable over the range of angles from 70° clockwise to 110° and from 250° clockwise to 290°.

T. KENT ATKINS
DALLAS, TEXAS

PAGE: 1
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POPULATION COUNT (1980 CENSUS)

JOB TITLE : LAKE CHARLES LOUISIANA

NO. OF CONTOURS = 2 DISTANCES IN KM
COORDINATES = 30 16 10 93 3 51

	1 CONTOUR		2 CONTOUR
	81.500		87.500
NUMBER	BEAR. DIST.	BEAR. DIST.	
1	260.5	6.9	260.5 4.8

PRINTOUT OPTIONS :

- 1 = SUMMARY OF TOTAL POPULATION ONLY WITHIN CONTOURS BY STATE
- 2 = TOTAL POPULATION ONLY WITHIN CONTOURS BY CENSUS DIVISION
- 3 = ETHNIC POPULATION WITHIN CONTOURS BY CENSUS DIVISION,
INCLUDING PER CAPITA INCOME, NO. OF DWELLING UNITS, AND
NO. OF OCCUPIED DWELLING UNITS.

WHICH ? 2

STATES CONSIDERED LA MS TX

T. KENT ATKINS
DALLAS, TEXAS

PAGE: 2
09/29/85

POPULATION COUNT (1980 CENSUS)

JOB TITLE : LAKE CHARLES LOUISIANA

-----TOTAL POPULATION WITHIN CONTOUR(S)-----
1 CONTOUR 2 CONTOUR
81.500 87.500

STATE OF LOUISIANA

STATEMENT OF METHOD USED TO DETERMINE POPULATION

Pursuant to Docket 20735, Appendix C,(e),(Calculation of Predicted Area and Population), the following statement is made to certify the method Southwest Educational Media used to prepare this amendment to its application for a new NCE-FM service for Lake Charles, LA.

1. The Applicant determined that the that KDFM-tv was 260.52 degrees from the proposed tower site.(See exhibit E-11)

2. With a HAAT of 960 ft., and an ERP of 100 KW, a computer generated study was made of the 90-47 dBU contours.(See exhibit E-13)

3. These projected contours were then transferred to a sectional aeronautical map.(See exhibit E-7)

4. Information was then taken from figure 2 of the FM/TV 6 Projection Ratios Based On Median Receivers, supplied by the Commission. (See exhibit E-14)

5. This information was then used in a computer generated study to predict the contours of the applicants proposed NCE-FM facility. (See exhibit E-9) It was determined that the Applicant's 81.5 dBU contour would be the most undesirable contour.

6. Pursuant to section (e), (iii), an adjustment of 6 dB was made for television antenna receiving directivity. This was added to the the 81.5 dBU contour for a total of 87.5 dBU.

7. The applicant then drew the 87.5 dBU arc defined by the range of angles, of which the applicant's site, N. Lat. 30,16,10; W. Lng. 93,03,51, is the vertex, from 110 degrees relative to 260.52 degrees, or the direction of KDFM-TV-6, counterclockwise

[Exhibit Number 3]

to 250 degrees relative to that azimuth. (See Exhibit E-8)

8. The remainder of the contour was calculated to be the applicant's 81.5 dBU contour. (See exhibit E-8)

9. According to the 1980 census the proportionate figure equal to 61.11% of the population within the 87.5 dBU contour is 787.7 persons. (See exhibit E-10)

10. Likewise the proportionate figure equal to 38.89% of the population within the 81.5 dBU contour is 2026.9. (See exhibit E-10, and E-8)

11. Therefore the total population within the undesirable contour is 2815.

CERTIFICATION OF SERVICE

I, T. Kent Atkins, do hereby certify that on this 16th day of September, 1986, I have caused to be sent by first class United States mail, postage paid, the foregoing "Response to Objection of Freedom TV Sub, Inc." to the following:

James C. McKinney, Chief*
Mass Media Bureau
1919 M Street, N.W.
Room 314
Washington, D.C. 20037

Werner K. Hartenberger, Esq.
Dow, Lohnes & Albertson
1255 Twenty-third Street, N.W.
Suite 500
Washington, D.C. 20037



T. Kent Atkins

* By Federal Express Overnite Mail